

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

HEALTH REGULATION
Senator Garcia, Chair
Senator Sobel, Vice Chair

MEETING DATE: Monday, March 28, 2011

TIME: 3:15 —5:15 p.m.

PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Garcia, Chair; Senator Sobel, Vice Chair; Senators Altman, Bennett, Diaz de la Portilla, Fasano, Gaetz, Gardiner, Jones, Latvala, Norman, and Ring

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 1324 Bennett (Identical H 915)	Disposition of Human Remains; Transfers, renumbers, and amends provisions. Revises procedures for the reporting and disposition of unclaimed remains. Prohibits certain uses or dispositions of the remains of deceased persons whose identities are not known. Requires that local governmental contracts for the final disposition of unclaimed remains comply with certain federal regulations. Revises procedures for the anatomical board's retention of human remains before their use, etc. HR 03/28/2011 Fav/1 Amendment HE CA BC	Fav/1 Amendment (Yeas 12 Nays 0
2	SB 1744 Storms (Compare H 1127)	Abortions; Requires that an ultrasound be performed on a woman obtaining an abortion. Provides exceptions. Requires that the ultrasound be reviewed with the patient before the woman gives informed consent for the abortion procedure. Requires that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence. Provides an exemption from the requirement to view the ultrasound for women who have a serious medical condition necessitating the abortion, etc. HR 03/28/2011 Not Considered BC	Not Considered
3	SB 1748 Flores (Similar CS/H 1397)	Abortions; Restricts the circumstances in which an abortion may be performed in the third trimester or after viability. Requires an abortion clinic to provide conspicuous notice on any form or medium of advertisement that the abortion clinic is prohibited from performing abortions in the third trimester or after viability. Prohibits a termination of pregnancy from being performed in a location other than a validly licensed hospital, abortion clinic, or physician's office, etc. HR 03/28/2011 Not Considered CJ BC	Not Considered

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4	SB 1156 Garcia (Similar H 487)	Dextromethorphan; Cites this act as the "Andy Maxfield Dextromethorphan Act." Amends and reenacts provisions relating to penalties. Prohibits obtaining or delivering to an individual in a retail sale any nonprescription compound, mixture, or preparation containing dextromethorphan or related compounds in excess of specified amounts. Regulates retail display of products containing dextromethorphan or related compounds. Requires the training of retail employees. Provides limited civil immunity for the release of information to law enforcement officers, etc. HR 03/28/2011 Favorable CJ JU	Favorable Yeas 12 Nays 0
5	SB 546 Hays (Similar H 367)	Dentists; Prohibits contracts between health insurers and dentists from containing certain fee requirements set by the insurer under certain circumstances. Prohibits contracts between prepaid limited health service organizations and dentists from containing certain fee requirements set by the organization under certain circumstances. Prohibits contracts between HMOs and dentists from containing certain fee requirements set by the organization under certain circumstances, etc. BI 03/09/2011 Favorable HR 03/28/2011 Fav/CS BC	Fav/CS Yeas 12 Nays 0
6	SB 1396 Bogdanoff (Similar H 661, Compare S 1972)	Nursing Home Litigation Reform; Specifies conditions under which a nursing home resident has a cause of action against a licensee or management company. Requires the trial judge to conduct an evidentiary hearing before a claimant can assert a claim against certain interested parties. Provides a timeframe for a claimant to elect survival damages or wrongful death damages. Requires evidence of the basis for punitive damages. Provides limitations for admissibility of survey and licensure reports and the presentation of testimony or other evidence of staffing deficiencies, etc. HR 03/28/2011 Temporarily Postponed JU BC	Temporarily Postponed

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7	SB 292 Dean (Similar CS/H 847)	Mobile Home and Recreational Vehicle Parks; Specifies laws and rules to be enforced by the Department of Health. Provides that an operator of a mobile home park, lodging park, recreational vehicle park, or recreational camp who refuses to pay the operating permit fee required by law or who fails, neglects, or refuses to obtain an operating permit for the park commits a misdemeanor of the second degree. Provides a penalty for failure to depart from a park under certain circumstances, etc. TR 02/07/2011 Favorable HR 03/28/2011 Fav/1 Amendment CA BC	Fav/1 Amendment (Yeas 12 Nays 0
8	SB 1698 Dean (Compare H 13, H 167, H 1479, S 82, S 130, S 168)	Onsite Sewage Treatment and Disposal Systems; Deletes provisions requiring the Department of Health to administer an evaluation and assessment program of onsite sewage treatment and disposal systems and requiring property owners to have such systems evaluated at least once every 5 years. Deletes provisions prohibiting the land application of septage and requires the Department of Environmental Protection to recommend to the Governor and Legislature alternative methods for land application of septage. Requires the department to give to owners of systems at least 60 days' notice before and evaluation deadline, etc. HR 03/28/2011 Fav/CS EP BC	Fav/CS Yeas 12 Nays 0
9	SB 1108 Storms (Identical H 851)	Use of Cigarette Tax Proceeds; Revises the payment and distribution of funds in the Cigarette Tax Collection Trust Fund. Provides specified purposes for the use of funds that are appropriated out of the trust fund. Authorizes moneys transferred to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute to be used to secure financing to pay costs related to constructing, furnishing, equipping, and maintaining clinical facilities for cancer research. HR 03/28/2011 Not Considered BC	Not Considered

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10	SB 1458 Garcia (Identical H 1295, Compare CS/H 119, H 4045, H 4047, H 4049, H 4051, H 4053, H 4055, H 4199, S 688, S 690, S 692, S 694, S 696, S 698, CS/S 1736, S 1756)	Assisted Living Communities; Revises licensing requirements for registered pharmacists under contract with a nursing home and related health care facilities. Creates part I of ch. 429, F.S., the "Assisted Care Communities Licensing Procedures Act." Requires providers to have and display a license. Establishes license fees and conditions for assessment thereof. Provides procedures for change of ownership. Requires background screening of specified employees. Provides for inspections and investigations to determine compliance, etc. HR 03/28/2011 Not Considered CF BC	Not Considered
11	CS/SB 432 Criminal Justice / Evers (Similar CS/H 155)	Privacy of Firearms Owners; Provides that inquiries by physicians or other medical personnel concerning the ownership of a firearm by a patient or the family of a patient or the presence of a firearm in a private home or other domicile of a patient or the family of a patient violates the privacy of the patient or the patient's family members, respectively. Prohibits entry of certain information concerning firearms into medical records or disclosure of such information by specified individuals. Provides noncriminal penalties. Provides for prosecution of violations, etc. CJ 02/22/2011 Fav/CS HR 03/14/2011 Temporarily Postponed HR 03/22/2011 Temporarily Postponed HR 03/28/2011 Fav/CS JU BC	Fav/CS Yeas 8 Nays 4
12	SB 1386 Bogdanoff (Compare H 7095, CS/CS/S 818)	Controlled Substances; Authorizes the Department of Health to obtain patient records pursuant to a subpoena and without notification to the patient from a controlled-substance medical clinic under certain circumstances. Renames pain-management clinics as "controlled-substance medical clinics." Revises the circumstances in which the department may revoke the certificate of registration for such a clinic. Revises the responsibilities of a physician and an osteopathic physician who provides professional services in such a clinic, etc. HR 03/28/2011 Fav/CS CJ BC	Fav/CS Yeas 12 Nays 0

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13	SB 1454 Garcia (Identical H 1105)	Treatment of a Surrendered Newborn Infant; Presumes that the birth mother of a surrendered newborn infant is eligible for coverage under Medicaid as is the infant. HR 03/22/2011 Temporarily Postponed HR 03/28/2011 Not Considered BC	Not Considered
